

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

WENDY DAVIS, <i>et al.</i> ,	§	
	§	
Plaintiffs,	§	Civil Action
v.	§	
	§	No. 1:21-CV-565-RP
ELIAZAR CISNEROS, <i>et al.</i> ,	§	
	§	
Defendants.	§	

**OBJECTION TO JUROR QUESTIONNAIRE**

The proposed Introduction to the Juror Questionnaire begins by stating: “The plaintiffs are suing the defendants for allegedly impeding the progress of a Biden-Harris Presidential Campaign tour bus on Interstate Highway 35 in October 2020 by surrounding the bus with their cars and trucks in a so-called ‘Trump Train.’” ECF No. 494 at 2. This sentence does not properly frame the Plaintiffs’ legal claims nor what Plaintiffs are required to prove at trial under the legal claims they have brought. Considering the Introduction to the Juror Questionnaire will be the first document that potential jurors will see, simplifying Plaintiffs’ claims in this manner, which is inaccurate and misleading, and minimizes what Plaintiffs are required to establish as the elements to each of the legal claims they have brought before the Court would unfairly prejudice Defendant Park.

To cure the issue, counsel for Dolores Park asks the Court to change the first paragraph to only include the first sentence: “You are being considered for a jury for a case titled *Wendy Davis, David Gins, and Timothy Holloway v. Eliazar Cisneros*,

*Randi Ceh, Steve Ceh, Joeylynn Mesaros, Robert Mesaros, and Dolores Park.” Id.*

Then, the two following sentences should be deleted: ~~“The plaintiffs are suing the defendants for allegedly impeding the progress of a Biden Harris Presidential Campaign tour bus on Interstate Highway 35 in October 2020 by surrounding the bus with their cars and trucks in a so-called “Trump Train.” Defendants deny the allegations.”~~ *Id.* (original altered by striking through to show proposed deletion).

This would cure the showing of bias in the Introduction to the Juror Questionnaire.

A proposed Introduction, which addresses Dolores Park’s objection, is attached as Exhibit 1, for the Court’s consideration.

Not deleting the objectionable content in the Introduction to the Juror Questionnaire would prejudice Dolores Park as it proffers a theory of Plaintiffs’ case that obscures and misstates the required elements of Plaintiffs’ legal claims and does so in a manner that is highly and unfairly prejudicial and inappropriate.

Further, Dolores Park objects to the Juror Questionnaires being emailed or sent to jurors prior to the date of trial, instead of disseminated to the jury in Court at jury selection. The handling of a juror questionnaires should involve considerable discretion on the part of the District Court. Emailing out questionnaires with information regarding the parties and the trial, prior to the jurors receiving more comprehensive instructions than those briefly included in the Introduction without further explanation or emphasize, not to research the parties or the case on the internet, or to research news articles about the case, can easily taint the jury pool and affect the bias that jurors may have before arriving for jury duty on the day of jury

selection. Waiting to disseminate the short Juror Questionnaire during the morning of Jury Selection would alleviate this issue and because the proposed Juror Questionnaire is now quite brief, it would not take much time for jurors to complete the questionnaires.

Defendant Park has made a record of her other objections in her other pre-trial filings and in her motion for reconsideration, ECF No. 493, and does not forfeit any of those objections or arguments by filing this objection as well.

Respectfully submitted,

Dated: August 29, 2024

THOMAS MORE LAW CENTER

/s/ Richard Thompson  
Richard Thompson

/s/ Erin Elizabeth Mersino  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 29, 2024, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system that will send notification of such filing to all registered ECF participants listed for this case. I sent via email per agreement of the parties a copy of the foregoing to Defendants Steve Ceh and Randi Ceh at the following addresses provided by the parties:

Steve Ceh  
Email: steveceh33@gmail.com

Randi Ceh  
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/s/ Erin Elizabeth Mersino  
Erin Elizabeth Mersino